

# JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

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FORTY-SEVENTH DAY, MONDAY, APRIL 3, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Almighty God, You are the Holy one and the just one. Make Your dwelling in this Chamber today. May fellowship with Your spirit continue to open wide the minds and hearts of these Representatives, aligning these men and women with Your good, and giving them the power to live that out - even to bury that spirit deep in the heart of these laws to be passed. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Abigayle Knaebel.

The Journal of the forty-sixth day was approved as corrected by the following vote:

AYES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkemeyer	Marble
McClelland	Miller	Myers	Naeger	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason

Reid	Reinhart	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Summers	Surface	Townley	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Dolan	Hoppe	Murphy	Nordwald
Stokan				

VACANCIES: 002

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 783 - Representative Backer  
 House Resolution No. 784 - Representative Richardson  
 House Resolution No. 785 - Representative Naeger  
 House Resolution No. 786 - Representative Patek  
 House Resolution No. 787 - Representative Williams (159)  
 House Resolution No. 788 - Representative Gross  
 House Resolution No. 789 - Representative Ross  
 House Resolution No. 790  
     through  
 House Resolution No. 803 - Representatives Enz and Murphy  
 House Resolution No. 804  
     through  
 House Resolution No. 817 - Representatives Enz and Hendrickson  
 House Resolution No. 818 - Representative Luetkemeyer  
 House Resolution No. 819 - Representative Davis (122)  
 House Resolution No. 820 - Representative McClelland  
 House Resolution No. 821 - Representative Scott  
 House Resolution No. 822 - Representative Scott  
 House Resolution No. 823 - Representative Van Zandt  
 House Resolution No. 824 - Representative Berkowitz  
 House Resolution No. 825 - Representative Reynolds, et al  
 House Resolution No. 826  
     through  
 House Resolution No. 829 - Representative Ward  
 House Resolution No. 830 - Representative Evans

## SECOND READING OF HOUSE BILL

**HB 2148** was read the second time.

## SECOND READING OF SENATE BILL

**SB 1049** was read the second time.

## PERFECTION OF HOUSE BILL

**HCS HB 1434**, relating to amusement rides, was taken up by Representative Skaggs.

Representative Skaggs offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1434, In the Title, Line 2, by deleting the period “.” at the end of said line and inserting in lieu thereof the following: “, with an effective date.”; and

Further amend said bill, Page 4, Section 316.210, Line 25, by inserting after all of said section, the following:

“Section B. Sections 316.203 to 316.210 shall become effective on January 1, 2001.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

Representative Skaggs offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1434, Page 2, Section 316.204, Line 2, by striking the word “**seven**” and inserting in lieu thereof the word “**nine**”; and

Further amend said bill and section, Line 3, by striking the word “**six**” and inserting in lieu thereof the word “**eight**”; and

Further amend said bill and section, Line 10, by striking the word “**Two**” and inserting in lieu thereof the word “**Three**”; and

Further amend said bill and section, Line 11, by striking the word “**Two**” and inserting in lieu thereof the word “**Three**”.

On motion of Representative Skaggs, **House Amendment No. 2** was adopted.

Representative Reynolds offered **House Amendment No. 3**.

### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1434, Page 1, Section A, Line 3, by inserting after all of said line the following:

"290.505. [1.] No employer shall employ any of his **or her** employees for a workweek longer than forty hours unless such employee receives compensation for his **or her** employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he **or she** is employed.

[2. Employees of an amusement or recreation business that meets the criteria set out in 29 USC 213(a)(3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reynolds moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Clayton	Crump	Curls	Davis 63	Days
Farnen	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Leake	Levin	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Reid	Reynolds	Riley
Rizzo	Scheve	Schilling	Seigfreid	Selby
Shelton	Smith	Thompson	Treadway	Troupe
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 081

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Campbell	Champion	Chrismer	Cierpiot
Crawford	Davis 122	Dolan	Elliott	Enz
Evans	Fitzwater	Foster	Froelker	Gaskill
Gibbons	Graham 106	Gratz	Griesheimer	Gross
Hampton	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Lawson	Legan
Linton	Lograsso	Long	Loudon	Luetkemeyer
Marble	McClelland	Merideth	Miller	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Ransdall	Reinhart	Relford
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Skaggs
Summers	Surface	Townley	Tudor	Van Zandt
Vogel				

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Dougherty	Hoppe	Murphy	Nordwald
Stokan				

VACANCIES: 002

Representative Wright offered **House Amendment No. 4**.

**House Amendment No. 4** was withdrawn.

On motion of Representative Skaggs, **HCS HB 1434, as amended**, was adopted.

On motion of Representative Skaggs, **HCS HB 1434, as amended**, was ordered perfected and printed.

**RECONSIDERATION**

Representative Schilling, having voted on the prevailing side, moved that the vote by which **HB 1841** (Consent) was defeated on Third Reading and Final Passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 089

Abel	Auer	Backer	Barnett	Barry 100
Berkowitz	Bonner	Boucher 48	Boykins	Bray 84
Britt	Campbell	Champion	Clayton	Crump
Curls	Davis 122	Davis 63	Days	Dougherty
Farnen	Fitzwater	Foley	Ford	Franklin
Fraser	Gambaro	George	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hartzler 124	Hickey	Hilgemann	Holand	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reid
Relford	Reynolds	Riley	Rizzo	Robirds
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 058

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Bennett	Blunt	Boatright	Burton	Chrismer
Cierpiot	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hendrickson
Hohulin	Howerton	Kasten	Kelley 47	King
Linton	Lograsso	Loudon	Luetkemeyer	Marble
McClelland	Myers	Naeger	Ostmann	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Ross	Sallee	Schwab	Scott
Secrest	Shields	Summers	Surface	Townley
Tudor	Vogel	Wright		

PRESENT: 008

Black	Crawford	Hegeman	Klindt	Levin
Long	Miller	Patek		

ABSENT WITH LEAVE: 006

Berkstresser	Hoppe	Legan	Murphy	Nordwald
Stokan				

VACANCIES: 002

**HB 1841**, relating to noxious weeds, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1841** was read the third time and passed by the following vote:

AYES: 129

Abel	Auer	Backer	Barnett	Barry 100
Bennett	Berkowitz	Black	Blunt	Boucher 48
Boykins	Bray 84	Britt	Burton	Campbell
Champion	Chrismer	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dolan	Dougherty
Elliott	Enz	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Fraser	Gambaro
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 124	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Howerton	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Liese	Linton	Long
Loudon	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McKenna	McLuckie	Merideth
Miller	Monaco	Murray	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Parker
Patek	Pryor	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Riley	Rizzo
Robirds	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Treadway	Troupe	Tudor	Van Zandt	Vogel
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 024

Akin	Alter	Ballard	Bartelsmeyer	Bartle
Boatright	Crawford	Evans	Froelker	Griesheimer
Hartzler 123	Hendrickson	Hohulin	Kasten	Kelley 47
Levin	Lograsso	Phillips	Pouche 30	Purgason
Ridgeway	Ross	Secrest	Townley	

PRESENT: 001

Luetkemeyer

ABSENT WITH LEAVE: 007

Berkstresser	Bonner	Cierpiot	Hoppe	Murphy
Nordwald	Stokan			

VACANCIES: 002

Speaker Gaw declared the bill passed.

On motion of Representative Gambaro, title to the bill was agreed to.

Representative Fraser moved that the vote by which the bill passed be reconsidered.

Representative Hollingsworth moved that motion lay on the table.

The latter motion prevailed.

Representative Riback Wilson (25), having voted on the prevailing side, moved that the vote by which **HB 1685** (Consent) was defeated on Third Reading and Final Passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambara
George	Graham 24	Gratz	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Relford
Reynolds	Riley	Rizzo	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kelley 47
King	Klindt	Legan	Levin	Linton
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Miller	Myers	Naeger	Ostmann	Patek
Phillips	Pouche 30	Pryor	Purgason	Reid
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wright				

PRESENT: 001

Holand

ABSENT WITH LEAVE: 007

Berkstresser	Green	Hoppe	Long	Murphy
Nordwald	Stokan			

VACANCIES: 002

**HB 1685** held its place on the House Bills for Third Reading - Consent Calendar.

### REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**SB 753** - Commerce

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 32**, introduced by Representatives Loudon, Alter, Enz, Froelker, Hendrickson and McClelland, urging the Governor to allow St. Louis to opt out of the EPA's reformulated gasoline program until a safer substitute for methyl tertiary butyl ether (MTBE) is found.

### **INTRODUCTION OF HOUSE BILL**

The following House Bill was read the first time and copies ordered printed:

**HB 2149**, introduced by Representative Evans, relating to tax relief.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 4, 2000.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-sixth Day, Thursday, March 30, 2000, pages 753 and 754, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 754 and 755, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 759 and 760, roll call, by showing Representative Chrismer voting "aye" rather than "absent with leave".

Pages 760 and 761, roll call, by showing Representative Barry voting "aye" rather than "no".

Pages 760 and 761, roll call, by showing Representatives Gross and Phillips voting "aye" rather than "absent with leave".

Page 762, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 763, roll call, by showing Representatives Phillips, Purgason, Ross, Selby and Surface voting "aye" rather than "absent with leave".



## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, April 5, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 540, SCR 27

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, April 4, 2000, 8:30 am. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1113

### **BUDGET**

Tuesday, April 4, 2000, 1:00 pm. Hearing Room 3.

Executive Session. To be considered - HB 1120

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 5, 2000. Hearing Room 1 upon morning adjournment.

AMENDED.

To be considered - HB 2126, SB 557, SB 722, SB 836, SB 858, SB 914, SB 942

### **CONSUMER PROTECTION AND HOUSING**

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 1.

Possible Executive Session to follow.

To be considered - HB 2057, SB 643

### **CORRECTIONAL AND STATE INSTITUTIONS**

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - SB 555, SB 618, SB 789, SB 985

### **CRIMINAL LAW**

Wednesday, April 5, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1528, HB 1658, HB 1851, HB 1920, HB 2010, SB 996

### **EDUCATION - HIGHER**

Wednesday, April 5, 2000. Hearing Room 5 upon morning adjournment.

To be considered - SB 910, SB 953, SB 961

### **GOVERNMENTAL ORGANIZATION AND REVIEW**

Wednesday, April 5, 2000, 8:30 am. Hearing Room 5.

To be considered - SB 788, SCR 21

LABOR

Tuesday, April 4, 2000, 8:00 pm. Hearing Room 3.

To be considered - HB 1707, HB 2135, SB 709, SB 734

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 4, 2000. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - SB 542, SB 719, SB 893, SB 915

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 4, 2000, 9:00 am. Hearing Room 1.

To be considered - SB 765, SB 907

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 5, 2000, 6:30 pm. Hearing Room 5.

To be considered - HB 2079, SB 663, SB 883, SB 921

PUBLIC HEALTH

Tuesday, April 4, 2000, 12:30 pm. Hearing Room 4.

Possible Executive Session.

To be considered - HB 2027, HB 2050, SB 685, SB 976

PUBLIC SAFETY AND LAW ENFORCEMENT

Tuesday, April 4, 2000, 9:00 am. Hearing Room 6.

Executive Session may follow.

To be considered - HB 2009, SB 537, SB 769

RETIREMENT

Wednesday, April 5, 2000, 8:00 pm. Hearing Room 1.

Executive Session follows.

To be considered - HB 2090, SB 616, SB 642, SB 821, SB 922, SB 975

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 4, 2000, 7:30 pm. Hearing Room 6.

Presentation on Medicaid spend down. AMENDED.

STATE PARKS, NATURAL RESOURCES AND MINING

Wednesday, April 5, 2000, 9:30 am. Hearing Room 4.

Possible Executive Session.

To be considered - SB 657

WAYS AND MEANS

Tuesday, April 4, 2000. Hearing Room 6 upon morning adjournment.

Executive Session possible.

To be considered - HB 1316, HB 1829, HB 2063, HCR 11

**HOUSE CALENDAR**

**FORTY-EIGHTH DAY, TUESDAY, APRIL 4, 2000**

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**  
HCR 32

**HOUSE BILL FOR SECOND READING**  
HB 2149

**HOUSE JOINT RESOLUTION FOR PERFECTION**  
HJR 40 - Graham (24)

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1305 - Rizzo
- 2 HCS HB 1574 & 1640 - Britt
- 3 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 4 HCS HB 1652 & 1433 - Hoppe
- 5 HB 1603, HCA 1 and HCA 2 - O'Connor
- 6 HCS HB 1711 - Abel
- 7 HCS HB 1797 - Gratz
- 8 HCS HB 1569 - Bray
- 9 HCS HB 1932 - Harlan
- 10 HCS HB 1967 - Hoppe
- 11 HB 1728, HCA 1 - Backer

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith

**HOUSE BILLS FOR THIRD READING**

- 1 HS HB 1615, E.C. (Fiscal Review, 3-29-00) - Hosmer
- 2 HS HCS HB 1242 - Treadway
- 3 HS HB 1238 - Hoppe
- 4 HS HCS HB 1481, (Fiscal Review, 3-30-00) - Smith

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1685 - Smith
- 2 HB 1454 - Hoppe
- 3 HB 1499 - Hoppe
- 4 HB 1631 - Hoppe
- 5 HB 1579 - Hoppe
- 6 HB 1597 - Auer

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- 7     HB 1284 - Kissell
- 8     HB 1659 - Summers
- 9     HB 1340 - Klindt
- 10    HB 1828 - Gross
- 11    HB 1095 - Richardson
- 12    HB 1358 - Loudon
- 13    HB 1275 - Chrismer

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1825 - Klindt

**SENATE BILL FOR THIRD READING**

HCS SS SB 549, E.C. - Van Zandt

**HOUSE RESOLUTION**

HR 91, (2-24-00, pgs. 397 & 398) - Crawford